

1 **Judgment Information Amendments**

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Matt MacPherson

Senate Sponsor:

3 **LONG TITLE**

4 **General Description:**

5 This bill addresses information necessary to file a judgment lien against real property.

6 **Highlighted Provisions:**

7 This bill:

8 ▶ provides that to record a judgment, a person shall include a copy of the judgment that
9 contains, if known, the last four digits of the judgment debtor's social security number,
10 the month and year of the judgment debtor's birth, and the judgment debtor's driver
11 license number if a natural person.

12 **Money Appropriated in this Bill:**

13 None

14 **Other Special Clauses:**

15 None

16 **Utah Code Sections Affected:**

17 AMENDS:

18 **78B-5-201**, as last amended by Laws of Utah 2023, Chapter 401

20 *Be it enacted by the Legislature of the state of Utah:*

21 Section 1. Section **78B-5-201** is amended to read:

22 **78B-5-201 . Definitions -- Judgment recorded in Registry of Judgments.**

23 (1) As used in this part, "Registry of Judgments" means the index where a judgment is filed
24 and searchable by the name of the judgment debtor through electronic means or by
25 tangible document.

26 (2) On or after July 1, 1997, a judgment entered by a court of this state does not create a
27 lien upon or affect the title to real property unless the judgment is filed in the Registry of
28 Judgments of the office of the clerk of the district court of the county in which the
29 property is located.

30 (3)(a) On or after July 1, 2002, except as provided in Subsection (3)(b), a judgment

31 entered by a court of this state does not create a lien upon or affect the title to real
32 property unless the judgment or an abstract of judgment is recorded in the office of
33 the county recorder in which the real property of the judgment debtor is located.

34 (b) State agencies are exempt from the recording requirement of Subsection (3)(a).

35 (4) In addition to the requirements of Subsections (2) and (3)(a), any judgment that is filed
36 in the Registry of Judgments on or after September 1, 1998, or any judgment or abstract
37 of judgment that is recorded in the office of a county recorder after July 1, 2002, shall
38 include:

39 (a) the information identifying the judgment debtor as required under Subsection (4)(b)
40 on the judgment or abstract of judgment; or

41 (b) a copy of the separate information statement of the judgment creditor that contains:

42 (i) the correct name and last-known address of each judgment debtor and the address
43 at which each judgment debtor received service of process;

44 (ii) the name and address of the judgment creditor;

45 (iii) the amount of the judgment as filed in the Registry of Judgments;

46 (iv) if known, the last four digits of the judgment debtor's [Social Security] social
47 security number, [date of] the month and year of the judgment debtor's birth, and
48 the judgment debtor's driver [driver's] license number if a natural person; and

49 (v) whether or not a stay of enforcement has been ordered by the court and the date
50 the stay expires.

51 (5) For the information required in Subsection (4), the judgment creditor shall:

52 (a) provide the information on the separate information statement if known or available
53 to the judgment creditor from its records, its attorney's records, or the court records in
54 the action in which the judgment was entered; or

55 (b) state on the separate information statement that the information is unknown or
56 unavailable.

57 (6)(a) Any judgment that requires payment of money and is entered by a court of this
58 state on or after September 1, 1998, or any judgment or abstract of judgment
59 recorded in the office of a county recorder after July 1, 2002, that does not include
60 the debtor identifying information as required in Subsection (4) is not a lien until a
61 separate information statement of the judgment creditor is recorded in the office of a
62 county recorder in compliance with Subsections (4) and (5).

63 (b) The separate information statement of the judgment creditor referred to in Subsection
64 (6)(a) shall include:

- 65 (i) the name of any judgment creditor, debtor, assignor, or assignee;
- 66 (ii) the date on which the judgment was recorded in the office of the county recorder
- 67 as described in Subsection (4); and
- 68 (iii) the county recorder's entry number and book and page of the recorded judgment.
- 69 (7) A judgment that requires payment of money recorded on or after September 1, 1998, but
- 70 prior to July 1, 2002, has as its priority the date of entry, except as to parties with actual
- 71 or constructive knowledge of the judgment.
- 72 (8) A judgment or notice of judgment wrongfully filed against real property is subject to
- 73 Title 38, Chapter 9, Wrongful Lien Act.
- 74 (9)(a) To release, assign, renew, or extend a lien created by a judgment recorded in the
- 75 office of a county recorder, a person shall, in the office of the county recorder of each
- 76 county in which an instrument creating the lien is recorded, record a document
- 77 releasing, assigning, renewing, or extending the lien.
- 78 (b) The document described in Subsection (9)(a) shall include:
- 79 (i) the date of the release, assignment, renewal, or extension;
- 80 (ii) the name of any judgment creditor, debtor, assignor, or assignee; and
- 81 (iii) for the county in which the document is recorded in accordance with Subsection
- 82 (9)(a):
- 83 (A) the date on which the instrument creating the lien was recorded in that
- 84 county's office of the county recorder; and
- 85 (B) in accordance with Section 57-3-106, that county recorder's entry number and
- 86 book and page of the recorded instrument creating the judgment lien.

87 Section 2. **Effective Date.**

88 This bill takes effect on May 7, 2025.